

MESSAGE NO: 4231113 MESSAGE DATE: 08/19/1994

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: SCO-Scope PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-003

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 10/01/1989 TO 09/30/1990

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: SHOP TOWELS OF COTTON ASSEMBLED IN HONDURAS OF MATERIAL IMPORTED
FROM THE PRC (A-570-003)

MESSAGE NO: 4231113

DATE: 08 19 1994

CATEGORY: ADA

TYPE: SCO

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 003

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PERIOD COVERED: 10 01 1989 TO 09 30 1990

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS
DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, TRADE COMPLIANCE DIVISION

RE: SHOP TOWELS OF COTTON ASSEMBLED IN HONDURAS OF MATERIAL
IMPORTED FROM THE PRC (A-570-003)

1. ON APRIL 14, 1994, THE COURT OF INTERNATIONAL TRADE (CIT)
UPHELD THE ORIGINAL DEPARTMENT OF COMMERCE (COMMERCE) FINAL
SCOPE FULING OF MARCH 31, 1992 (SEE COMMERCE MESSAGE NUMBER
2128111 SENT TO CUSTOMS ON MAY 7, 1992 REGARDING FINAL SCOPE
RULING) AND ORDERED THAT THE INJUNCTION BE LIFTED FOR THE
PERIOD OCTOBER 1, 1989 THROUGH SEPTEMBER 30, 1990 (SEE
COMMERCE MESSAGE NUMBER 2199112 SENT TO CUSTOMS ON
JULY 17, 1992 REGARDING COURT INJUNCTION). THEREFORE, THE

SHOP TOWELS IN QUESTION, IMPORTED BY WIN-TEX PRODUCTS, INC. (WIN-TEX) ASSEMBLED IN HONDURAS FROM MATERIAL IMPORTED FROM THE PRC, REMAIN WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER ON SHOP TOWELS OF COTTON FROM THE PRC.

2. AS A RESULT OF THE CIT'S LIFTING OF THE INJUNCTION, CUSTOMS MAY NOW PROCEED WITH THE LIQUIDATION OF ENTRIES OF THIS MERCHANDISE IMPORTED BY WIN-TEX.
3. COMMERCE HAS CONDUCTED REVIEWS FOR VARIOUS PERIODS AND MANUFACTURERS. THE SCOPE DETERMINATION ON IMPORTS BY WIN-TEX DID NOT ADDRESS THE MANUFACTURERS OR EXPORTERS OF THE MERCHANDISE AND COMMERCE HAS NO INFORMATION ON THE MANUFACTURERS OR EXPORTERS. THEREFORE, YOU SHOULD USE THE INSTRUCTIONS IN THE FOLLOWING MESSAGES AS APPROPRIATE:

MESSAGE NO. DATE

2340113 12/06/91

3365111 12/30/92

4. THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT REQUIRE THAT INTEREST BE PAID ON OVERPAYMENTS AND UNDERPAYMENTS OF AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTIES. SUCH INTEREST IS PAYABLE AT THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD. THE INTEREST SHALL BE CALCULATED AT THAT RATE FROM THE DATE OF PAYMENT OF ESTIMATED DUTIES THROUGH THE DATE OF LIQUIDATION.
5. WHENEVER THE USE OF THE ABOVE INSTRUCTIONS RESULTS IN THE ASSESSMENT OF DUMPING DUTIES, YOU SHOULD REQUIRE OF THE IMPORTER PRIOR TO LIQUIDATION THE REIMBURSEMENT STATEMENT DESCRIBED IN SECTION 353.26 OF THE COMMERCE DEPARTMENT REGULATIONS. IMPORTERS WERE ADVISED OF THIS REQUIREMENT WHEN THE PRELIMINARY AND/OR FINAL RESULTS OF THE ADMINISTRATIVE

REVIEW WERE PUBLISHED IN THE FEDERAL REGISTER. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES OR FAILS TO PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES DUE IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION.

6. THIS MESSAGE CONSTITUTES THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRY SUMMARIES FOR THE MERCHANDISE AND PERIODS LISTED ABOVE.
7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL THROUGH THE REGIONAL ANTIDUMPING/COUNTERVAILING DUTY COORDINATOR, THE TRADE COMPLIANCE DIVISION, ANTIDUMPING/COUNTERVAILING DUTY BRANCH, USING THE ATTRIBUTE "HQ OAB". THE IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT MATT GAISFORD AT (202) 482-4793 OR WENDY J. FRANKEL AT (202) 482-5253, OFFICE OF ANTIDUMPING COMPLIANCE, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE.
8. THERE ARE NO RESTRICTIONS ON RELEASE OF THIS INFORMATION.

NANCY MCTIERNAN

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party